

RETURN OF SERVICE

**UNITED STATES DISTRICT COURT
Eastern District of Wisconsin**

Case Number: 2:20-CV-00051

Plaintiff:
Mario Avila, Jr.

vs.

Defendant:
State of Wisconsin - Department of Health Services, Administrator of
Healthcare Financing Administration (The United States Government -
Medicare)

For:
Fret, Albrecht & Blondis, S.C.
158 North Broadway
Suite 800
Milwaukee, WI 53202



Received by Austin Process LLC on the 4th day of June, 2020 at 2:18 pm to be served on Jesus Becerra Jail
Administrator, 200 E. Uvalde Street, Crystal City, Zavala County, TX 78839.

I, Rene Herrera, do hereby affirm that on the 5th day of June, 2020 at 7:35 pm, I:

INDIVIDUALLY and PERSONALLY Executed, by delivering a true copy of the Subpoena to Produce Documents
with the date of service endorsed thereon by me, to Jesus Becerra Jail Administrator in person at the Work
address of 200 E. Uvalde Street, Crystal City, Zavala County, TX 78839.

Description of Person Served: Age: 40s, Sex: M, Race/Skin Color: Hispanic, Height: 5'8", Weight: 190, Hair: Black,
Glasses: N

UNDER PENALTY OF PERJURY: "My name is RENE HERRERA, my date of birth is 05/02/1971 and my
address is 400 Mann Street Suite 902, Corpus Christi, Texas 78401. I declare under penalty of perjury that the
foregoing is true and correct.

Executed in Maverick County, State of Texas, on this 9 day of June, 2020


Rene Herrera
PSC-11588 Exp: 7/31/2020

Austin Process LLC
808 Nueces
Austin, TX 78701
(512) 480-8071

Our Job Serial Number: MST-2020003475
Ref: Avila, Jr. v. State of Wisconsin

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EXHIBIT B

Thomas Lenz

From: Thomas Lenz
Sent: Thursday, May 14, 2020 1:46 PM
To: jailadmin@zavalacounty.org
Subject: Subpoena in Avila v. US Corrections, LLC, et al
Attachments: Zavala County.Ltr to 2-24-20 (with subpoena).pdf

Importance: High

Dear Mr. Becerra:

Thank you for our conversation this afternoon. As we discussed, we issued a subpoena in the above matter and have not received a response. We are attaching another copy of the subpoena for your convenience. Please provide the responsive materials to us at your earliest convenience.

Thomas C. Lenz, Esq.
First, Albrecht & Blondis, S.C.
158 N. Broadway, Suite 600
Milwaukee, WI 53202
tlenz@fabattorneys.com
www.fabattorneys.com
(p) 414-271-1972
(f) 414-271-1511

EXHIBIT C

Thomas Lenz

From: Thomas Lenz
Sent: Monday, June 01, 2020 4:44 PM
To: jailadmin@zavalacounty.org
Subject: RE: Subpoena in Avila v. US Corrections, LLC, et al

Dear Mr. Becerra:

Would you please update me on your progress in responding to the subpoena referenced below? Thank you.

Thomas C. Lenz, Esq.
First, Albrecht & Blondis, S.C.
158 N. Broadway, Suite 600
Milwaukee, WI 53202
tlenz@fabattorneys.com
www.fabattorneys.com
(p) 414-271-1972
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Thomas C. Lenz, Esq.
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EXHIBIT D

Tuesday, July 21, 2020



FIRST, ALBRECHT & BLONDIS, S.C. ■ ATTORNEYS AT LAW

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PHONE (414) 271-1972 ■ FAX (414) 271-1511 ■ www.fabattorneys.com

LAWRENCE G. ALBRECHT
ALSO ADMITTED IN NEW YORK

ROBERT H. BLONDIS

JAMES P. END

THOMAS C. LENZ

CHRISTOPHER G. MEADOWS

AMY M. BURGER

CURRY FIRST
RETIRED

August 2, 2017

Zavala County Jail
200 E. Uvalde Street
Crystal City, TX 78839

Re: Our Client: Mario Avila
Date of Birth: 04/24/1969

Dear Records Custodian:

We represent Mario Avila, Jr. Pursuant to Chapter 552 of Texas Government Code, we request copies of the following records, documents and recordings. We will pay the customary fee for copies of these records, documents and recordings. Alternatively, please forward these materials to us, along with an invoice for copying fees. We request that you refrain from making redactions of information concerning our client. Enclosed is an authorization signed by our client. Please provide:

- All transfer summaries from December 2016 and January 2017;
- Any transfer-related paperwork relating to Mario Avila's transfer from Zavala County Jail to Milwaukee County Jail in December, 2016 or January, 2017;
- Any reports or investigative materials or statements relating to any investigation conducted relating to assaults on Mario Avila while he was at the Zavala County Jail or during his transport between the Zavala County Jail and Milwaukee County Jail; and
- Any documents provided to or provided by the company that transported Mario Avila to the Milwaukee County Jail in December, 2016 or January, 2017.

We look forward to your prompt compliance with our request. If you are unable, or unwilling, for any reason, to comply with this Public Records Request, please state in writing why you are unable or unwilling to do so. Please feel free to contact the undersigned if you have any questions or concerns.

Very truly yours,

Thomas C. Lenz

EXHIBIT F

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

MARIO AVILA, JR.,

Plaintiff,

STATE OF WISCONSIN – DEPARTMENT OF
HEALTH SERVICES, ADMINISTRATOR OF
HEALTHCARE FINANCING ADMINISTRATION
(THE UNITED STATES GOVERNMENT – MEDICARE)

Case No. 2:20-cv-00051

Subrogated Involuntary Plaintiffs,

v.

U.S. CORRECTIONS, LLC,
PRISONER TRANSPORTATION SERVICES, INC.,
JASON WILLIAMS,
THOMAS FIGONI,
LUIS F. GONZALEZ,
DAMIEN J. LOWE,
THAYER KIM TOWNSEND,
CHRISTOPHER SNOW,
ASHLEY JACQUES, and
CERTAIN UNDERWRITERS AT LLOYD'S, LONDON
SUBSCRIBING TO POLICY NO. CJ10028616,

Defendants.

DECLARATION OF BRYN I. BAKER IN SUPPORT OF MOTION FOR CONTEMPT

1. I am one of the attorneys for the Plaintiff, Mario Avila, Jr.
2. I make this declaration based on personal knowledge.
3. Attached hereto as **Exhibit A** are true and correct copies of a correspondence dated February 24, 2020 enclosing Plaintiff's Rule 45(a)(1)(D) Subpoena to Zavala County Jail and a correspondence dated April 21, 2020 following up on the Subpoena.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this 3rd day of May, 2021 in Milwaukee County, Wisconsin.

s/ Bryn I. Baker

Bryn I. Baker